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VIA ECF (courtesy copy via FedEx)

Honorable Joseph F. Bianco
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Incorporated Village of Garden City v. Genesco Inc., et al., 07 CV 5244

Your Honor:

We represent the plaintiff in the above-referenced action. We write to provide the court with a status report of the settlement negotiations with Genesco. We have made additional substantive progress in our negotiations with Genesco. We have conceptual agreement on the central technical elements of a settlement and I have begun drafting the settlement documents. We expect that we will make similar progress on the monetary elements of the settlement.

We will have additional conference calls over the next two weeks and, if necessary, a meeting or conference call with principals shortly thereafter. Based on the foregoing we respectfully request an additional 30 days to continue with unsupervised negotiations. We suggest that we write to the Court with a status report on June 15, 2011. Counsel for Genesco and Gordon Atlantic join in this request to allow the Village and Genesco to continue settlement negotiations.

We have not been in recent negotiations with Gordon Atlantic. Our belief is that due to their alleged limited financial resources, only after we have a proposed resolution with Genesco and EPA could we have such negotiations and potentially release Gordon Atlantic. Toward that end, and as a follow up to my letter of May 9, 2011 relating to EPA's apparent lack of activity in United States v. Genesco et al., Docket Number 09 CV 3917, we respectfully request that Your Honor schedule a status conference with all parties present (the Village, Genesco, Gordon Atlantic and the United States) so that we may began discussions of a global resolution. It is my understanding that Genesco concurs in this request.

We thank the Court for its continued encouragement of a negotiated resolution to this matter.

Respectfully submitted,

David S. Yudelson

cc: Hon. E. Thomas Boyle (via ECF)
All Counsel of Record (via ECF)
AUSA Kambic